STATE OF ARIZONA 1 STATE OF ARIZONA FILED 2 **DEPARTMENT OF INSURANCE** JUN 09 2011 3 In the Matter of: DEPT OF INSURANCE No. 11A-055 - INS **BOUDREAUX, JERROLD DWAYNE,** 4 (Arizona License Number 94578) (National Producer Number 6731874) **BOUDREAUXS ARIZONA INSURANCE SERVICES** 6 (Arizona License Number 180696) 7 **CONSENT ORDER** Respondents. 8 9 The State of Arizona Department of Insurance ("Department") has received 10 evidence that Respondents violated provisions of Title 20, Arizona Revised Statutes. 11 Respondents wish to resolve this matter without the commencement of formal proceedings, 12 and admit the following Findings of Fact are true and consent to entry of the following 13 Conclusions of Law and Order. 14 **FINDINGS OF FACT** 15 1. Jerrold Dwayne Boudreaux ("Respondent Boudreaux") is, and was at all 16 material times licensed as an Arizona resident property, casualty, accident/health and life 17 insurance producer, license number 94578, which expires on October 31, 2013. 18 2. Boudreauxs Arizona Insurance Services is, and was at all material times, 19 licensed as an Arizona resident property, casualty, accident/health and life insurance 20

producer, license number 180696, which expires on July 31, 2014. Respondent Boudreaux is

the Managing Partner and Designated Responsible Licensed Producer for Boudreauxs

21

22

23

Arizona Insurance Services.

- On or about November 2, 2004, Respondents contracted with Safeco Insurance 3. Company ("Safeco") to transact property and casualty insurance on its behalf in Arizona.
- Between March 2007 and August 2010, Respondents created thirteen (13) 4. fictitious certificates of insurance and submitted them to Safeco as evidence of prior coverage in order that their clients could receive a favorable premium rating for their automobile insurance.

CONCLUSIONS OF LAW

- The Director has jurisdiction over this matter. 1.
- 2. Respondents' conduct as described above constitutes intentionally misrepresenting the terms of an actual or proposed insurance contract or application for insurance, within the meaning of A.R.S.§20-295(A)(5).
- 3. Grounds exist for the Director to suspend, revoke, or refuse to renew Respondents' insurance licenses, impose a civil penalty and/or order restitution pursuant to A.R.S. §§20-295(A), (B) and (F).

ORDER

IT IS HEREBY ORDERED THAT:

- Respondent Boudreaux's license is suspended for thirty (30) days, effective 1. immediately upon entry of this Order.
- 2. Respondents shall pay a civil penalty of \$5,000.00 for deposit into the State General Fund within thirty (30) days of the effective date of this order.
- 3. Respondents are jointly and severally responsible for payment of the civil DATED AND EFFECTIVE this 8th day of June, 2011. penalty.

CHRISTINA URIAS Director of Insurance

CONSENT TO ORDER

- 1. Respondents have reviewed the foregoing Findings of Fact, Conclusions of Law and Order.
- Respondents admit the jurisdiction of the Director of Insurance, State of Arizona,
 and admit the foregoing Findings of Fact and consent to the entry of the foregoing
 Conclusions of Law and Order.
- 3. Respondents are aware of their right to notice and a hearing at which they may be represented by counsel, present evidence and examine witnesses. Respondents irrevocably waive their right to such notice and hearing and to any court appeals relating to this Consent Order.
- 4. Respondents state that no promise of any kind or nature whatsoever, except as expressly contained in this Consent Order, was made to them to induce them to enter into this Consent Order and that they have entered into this Consent Order voluntarily.
- 5. Respondents acknowledge that the acceptance of this Consent Order by the Director is solely to settle this matter against them and does not preclude any other agency, officer, or subdivision of this state including the Department from instituting civil or criminal proceedings as may be appropriate now or in the future.
- 6. Respondents acknowledge that this Consent Order is an administrative action that the Department will report to the National Association of Insurance Commissioners (NAIC)

||.

and that they may have to report this administrative action on any future licensing applications	
either to the Department or other states' Departments of Insurance.	
7. Jerrold Dwayne Boudreaux represents that he is Managing Partner of	
Boudreauxs Arizona Insurance Services, and as such is authorized to enter into this Consen	
Order on its behalf.	
Date Jerrold Dwayr	ne Boudreaux, License No. 94578
Boudreauxs 180696	Arizona Insurance Services, License No
Date Jerrold Dwayr	ne Boudreaux, Owner/Operator
COPIES of the foregoing mailed/delivered this <u>9th</u> day of <u>June</u> , 2011, to:	
Jerrold Dwayne Boudreaux Boudreauxs Arizona Insurance Services 393 W. Warner Rd. #117 Chandler, AZ 85225 (Respondents)	
Safeco Insurance Company Liberty Mutual Agency Corp. Robert Hanigan P.O. Box 515097 Los Angeles, CA 90051	
Mary Kosinski, Executive Assistant for Regulatory Affairs Catherine M. O'Neil, Consumer Legal Affairs Officer Steve Fromholtz, Licensing Supervisor Arnold Sniegowski, Investigator Department of Insurance 2910 North 44 th Street, Suite 210 Phoenix, Arizona 85018	
Maidene Scheiner Maidene Scheiner	*